



1632

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Chad S. Hale, *et al*

Serial No.: 09/910,428

Filed: July 19, 2001

For: DNA MARKER FOR CATTLE GROWTH

Group Art Unit: 1632

Examiner: Ram R. Shukla

Atty. Dkt. No.: UVMO:007US/REH

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

01/06/04

Date

Robert E. Hanson

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On December 16, 2003, Applicants' undersigned representative and Examiner Shukla held a teleconference to discuss the final rejection under 35 U.S.C. §103 of claim 26. Applicants noted that the Examiner has failed to show the elements of step (a) claim 26 to be present in the prior art. The Examiner, nonetheless, maintained that it would have been obvious to obtain these elements based on Liu *et al*. Applicants again noted that under 35 U.S.C. §103 all elements must be found in the prior art. No agreement was reached.

On December 19, 2003, Applicants' undersigned representative held a telephonic interview with Examiner Shukla's supervisor, Examiner Reynolds. The comments previously

made to Examiner Shukla were reiterated. The Examiner did not disagree, but indicated that new rejections under 35 U.S.C. §112 may be raised in the case and thus did not agree to remove the rejections. No agreement was reached.

Applicants would like to thank the Examiners for their time in the telephonic interviews.

It is believed that no fee is due for filing this Statement of the Substance of the Interview. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, consider this paragraph such a request and authorization to withdraw the appropriate fee from Fulbright & Jaworski Deposit Account No. 50-1212/UVMO:007US.

The Examiner is invited to contact the undersigned attorney at (512) 536-3085 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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